

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

MICHAEL JAMES, LLC a Florida limited liability  
company doing business as Pine Ridge  
Coachworks,

Plaintiff,

-vs-

Case No. 2:08-cv-716-FtM-36SPC

PINE RIDGE IMPORTS OF NAPLES, INC. a  
Florida corporation; RICHARD E. BRAVIERI  
individually; MARGRET J. BRAVIERI  
individually; VARIOUS JOHN DOES; VARIOUS  
JANE DOES; ABC COMPANIES,

Defendants.

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**ORDER**

This matter comes before the Court on Defendants' Motion for Clarification of Court Order Pertaining to Defendants' Amended Motion to Compel Discovery (Doc. #157), filed on April 22, 2010, the Defendants' Second Motion to Compel Documents Responsive to Requests for Production (Doc. # 165) filed on May 7, 2010, and the Defendants' Motion to File a Reply to the Plaintiff's Opposition to the Defendants' Motion for Clarification of the Court's Order Pertaining to Discovery (Doc. # 166) filed on May 12, 2010.

A discovery hearing was held on June 9, 2010. At that time, the Court heard oral arguments on the motions from both parties. Based upon the Court's review of the motions and the arguments and proffers of counsel, the Court will rule on the pending motions.

Accordingly, it is now

**ORDERED:**

- (1) Defendants' Motion for Clarification of Court Order Pertaining to Defendants' Amended Motion to Compel Discovery (Doc. #157) is **DENIED**.
- (2) Defendants' Second Motion to Compel Documents Responsive to Requests for Production (Doc. # 165) is **DENIED**. Defendants' request for attorneys' fees incurred in filing the motion is also **DENIED**, but the Court issues a cautionary note to the parties that an award of costs against a party could be ordered in the future for any tactics that the Court feels obstructs meaningful discovery.
- (3) Jennifer Whitelaw, counsel for Plaintiff and Counter-Defendant is directed to sign Exhibit A to the Protective Order of Confidentiality entered in this case on March 30, 2010 (Doc. # 155).
- (4) Once Atty. Whitelaw has signed Exhibit A, Defendants are directed to turn over all verified interrogatory answers and discovery responsive to Plaintiff by **Friday, June 11, 2010 at 5:00 p.m.**
- (5) The parties are directed to exchange all outstanding discovery, including requests that remain pending and to supplement previous requests. Once all outstanding discovery has been exchanged **and reviewed**, the parties may file motions to compel setting forth outstanding discovery issues that remain. The parties must confer on a good faith basis to resolve these issues before filing motions with the Court.
- (6) Defendants' Motion to File a Reply to the Plaintiff's Opposition to the Defendants' Motion for Clarification of the Court's Order Pertaining to Discovery (Doc. # 166)

is **DENIED AS MOOT**. Defendants' arguments were heard by the Court at the hearing.

**DONE AND ORDERED** at Fort Myers, Florida, this 9th day of June, 2010.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES MAGISTRATE JUDGE**

Copies: All Parties of Record